

RESOLUTION NO. R-2016-__

BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION ACCEPTING THE RESIGNATION OF THE SHERIFF OF BENTON COUNTY AND DECLARING A VACANCY IN THE OFFICE OF SHERIFF

WHEREAS, J. Kelley Craddock, who presently holds the office of Sheriff of Benton County, State of Arkansas, has conditionally offered his resignation dated April 11, 2016 (see letter attached hereto as Exhibit "A"); and

WHEREAS, the Quorum Court has determined it is in the best interest of the citizens of Benton County to accept the terms offered by current Sheriff, J. Kelley Craddock to obtain his immediate resignation.

WHEREAS, this Resolution was published on April 14, 2016, which was prior to the meeting date of the Quorum Court at which such Resolution was considered by the Court.

NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, THAT:

Section 1. The Quorum Court approves the terms offered by J. Kelley Craddock to accept his resignation and his resignation is hereby accepted by the Quorum Court.

Section 2. A condition of vacancy is hereby declared to exist in the office of Sheriff, County of Benton, State of Arkansas due to the resignation of the incumbent, J. Kelley Craddock.

Section 3. This Resolution shall become effective immediately upon its passage and approval.

ADOPTED this ____ day of April, 2016.

APPROVED:

ROBERT D. CLINARD, COUNTY JUDGE
DATE SIGNED: _____

ATTEST:

TENA O'BRIEN, COUNTY CLERK
SPONSOR: JP Brent Meyers
DATE ADOPTED: _____
Votes For: ____ Votes Against: ____
Abstain: ____ Present: ____ Absent: ____

Sean T. Keith
Andrew R. Miller
Stephen W. Butler
Mary M. White Schneider
Kristin L. Pawlik

Keith, Miller, Butler, Schneider & Pawlik

FILED

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TENA O'BRIEN
CO & PROBATE CLERK
BENTON COUNTY, AR

Victoria Hargis Bruton
George M. Rozzell
John E. Baureis
Katelyn M. Eaves
Mason L. Boling
Mary E. Buckley
Jenna R. Fogleman

Tom J. Keith
Of Counsel

April 11, 2016

To Whom It May Concern:

That conditioned on the Quorum Court approving the remainder of the terms offered by him, J. Kelley Cradduck offers his resignation as Sheriff of Benton County, effective immediately on acceptance by the Quorum Court.

That he conditions his offer of resignation on the Quorum Court agreeing that his pay will continue until his successor is appointed by the Quorum Court and qualifies by taking the oath, and further that within ten days of that time, that the County will issue him a single lump sum check representing payment for: a) the remainder of his pay through the end of 2016, b) the retirement contribution the County would have made on the remainder of his pay through the end of 2016, and c) the contribution amount the County would have made with regard to his health insurance through the end of 2016. This will mean that his retirement contributions will cease as of the date of his successor taking the oath. The amount for health insurance will be based on what the County currently pays with regard to his insurance. If he maintains additional coverage (he currently has family coverage which he currently pays a monthly premium for), he would have to pay to keep it. He will need to file any necessary documents with the County for putting COBRA coverage into effect and keeping it in effect, as well as paying any required premiums. The figure is a moving target, but as an estimate and for information purposes, if his resignation was accepted and his successor was appointed and took the oath today, April 11th, the lump sum figure would be \$79,611.94. (I understand it reduces about \$300 per day.) The lump sum figure would be reported to Kelley for tax purposes (on a 1099), but there would be none of the usual withholding for FICA, Medicare tax, or Federal or Arkansas withholding – that will be up to him to deal with.

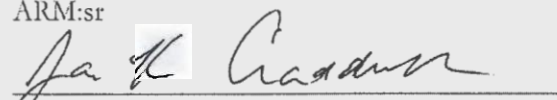
As an additional condition, Kelley would agree that between the time that the Quorum Court accepts his resignation and the time that his successor is appointed and qualified, while he remains Sheriff in name, he will take no actions as Sheriff and that he will leave in place the existing arrangement where Chief Conner manages the office and exercises all the authority of the Sheriff.

Sincerely,



Andrew R. Miller
Keith, Miller, Butler,
Schneider & Pawlik, PLLC

ARM:sr


J. Kelley Cradduck

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